

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**Patent Application**

Inventor(s): Zhenyu Wang

Case: Wang 2

Serial No.: 09/324,304      Group Art Unit: 2631

Filing Date: 06/02/99

Examiner: Demetria Williams

Title: Constellation Design for Modem Receiver

RECEIVED  
OCT 16 2002  
Technology Center 2600

ASSOCIATE POWER OF ATTORNEY

I hereby revoke all previous associate powers of attorney in the above-identified application.

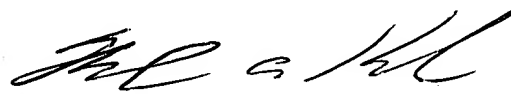
I hereby appoint the following persons as associate attorneys to prosecute said application, and to transact all business in the Patent and Trademark Office connected therewith:

Steve Mendelsohn	Reg. No. 35,951
Ian M. Hughes	Reg. No. 41,083
Steven R. Petersen	Reg. No. 31,287
Yuri Gruzdkov	Reg. No. 50,762
Michael L. Craner	Reg. No. 50,127

of Mendelsohn & Associates, Suite 715, 1515 Market Street, Philadelphia, PA 19102.

Telephone calls should be made to Steve Mendelsohn at 215-557-6657.

All written communications are to be addressed to Steve Mendelsohn, Mendelsohn & Associates, P.C., Suite 715, 1515 Market Street, Philadelphia, Pennsylvania 19102.



Mark Kurisko, Esquire  
Attorney for Applicant(s)  
Reg. No. 38,944

Date:

8/16/02

Customer No.: 22186



Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Re: Attorney Docket No. Wang 2

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Agere Systems Inc.

Application No./Patent No.: 09/324,304 Filed/Issued Date: 06/02/1999

Entitled: Constellation Design for Modem Receiver

Agere Systems Inc. Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

States that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

In the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_, Frame \_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventor(s) To: Lucent Technologies, Inc.  
The document was recorded in the United States Patent and Trademark Office at 010013, Frame 0848, or for which a copy thereof is attached.
2. From: Lucent Technologies Inc. To: Agere Systems Guardian Corp.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_, Fame \_\_\_, or for which a copy thereof is attached.
3. From: Agere Systems Guardian Corp. To: Agere Systems Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_, Fame \_\_\_, or for which a copy thereof is attached.


☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other document in the chain of title are attached.  
[Note: A separate copy (i.e., the original assignment document or a true copy of the original documents) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Respectfully submitted,

Date: 10/01/02  
Customer No. 22186  
Mendelsohn & Associates, P.C.  
1515 Market Street, Suite 715  
Philadelphia, Pennsylvania 19102

  
Yuri Gruzdkov  
Registration No. 50,762  
Agent for Assignee  
(215) 557-8544

**EXECUTION COPY**

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**PATENT ASSIGNMENT**

**by and between**

**LUCENT TECHNOLOGIES INC.**

**and**

**AGERE SYSTEMS GUARDIAN CORP.**

**Dated as of January 30, 2001**

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## **PATENT ASSIGNMENT**

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

### **RECITALS**

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).


ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

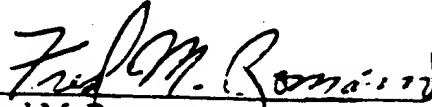
ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

**LUCENT TECHNOLOGIES INC.**

By:   
Daniel P. McCurdy  
President, Intellectual Property Business

**AGERE SYSTEMS GUARDIAN CORP.**

By:   
Fred M. Romano  
President

ACKNOWLEDGMENTS

STATE OF NEW JERSEY )

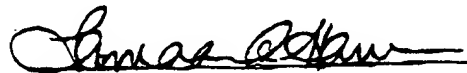
: ss:

COUNTY OF SOMERSET )

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and

b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name **TAMORA ANNE HANNA**  
 Notary Public Notary Public of New Jersey  
 My Commission Expires **Registered in Hunterdon County**  
 [Notarial Seal] My Commission Expires March 25, 2002

STATE OF FLORIDA )

: ss:

COUNTY OF ORANGE )

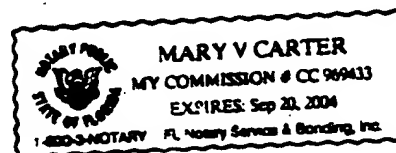
I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp. ; and

b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name  
 Notary Public  
 My Commission Expires:  
 [Notarial Seal]



APPENDIX B (continued)  
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
VTC-67			5920729	
VTC-68			5942934	
VTC-69			5982574	
VTC-7			4923824	
VTC-70			5986832	
VTC-71			5990710	
VTC-72			5994951	
VTC-73			6005733	
VTC-74			6020695	
VTC-75			6107888	
VTC-76			6111716	
VTC-8			5291347	
VTC-9			5311146	
Wagstaff 1	7/9/1999			09/350645
Walck 4	5/12/1998	4/18/2000	6051989	
Walden 10	5/28/1999			09/320275
Walden 13	3/29/2000			09/537300
Walden 14	5/10/2000			09/567606
Walden 6	11/17/1997	4/11/2000	6049236	
Walden 8	7/31/1998		09/127702	
Walden 9	12/4/1998			09/206030
H- Wang 11	8/3/1999			09/368299
Wang 1-1	5/29/1998	8/15/2000	09/087837	6105154
Wang 12	10/4/1999			09/412462
Wang 1-2	4/22/1999			09/296516
Wang 13	9/30/1999			09/409150
Wang 14	8/18/1999			09/376852
Wang 18	3/22/2000			09/532637
→ Wang 2	6/2/1999			09/324304
Wang 6	3/16/2000			09/527011
Wang 7	4/19/1999			09/294695
Wang 7-3	3/16/2000			09/527008
Wang 8	3/16/2000			09/527009
Wang 8	10/14/1998			09/172281
Wang 9	11/9/1998			09/188767
Warwick 10	11/3/1993			09/184743
Warwick 11	2/5/1999			09/245078
Warwick 13	12/20/1999			09/466915
Warwick 14	8/8/2000		09/634021	
Warwick 9	11/3/1998			09/184744
Waskiewicz 9-1	10/6/1999			09/413149
Weber 1	5/26/1998		09/084723	
Wee 1	9/13/1999			09/395285
Wee 2	12/7/1998			09/206734
Wee 3	12/7/1998			09/206735
Wee 4	8/26/1999			09/383597
Wee 5	4/12/1999			09/290920
Wee 7	7/29/1999			09/354843
Wen 14	6/17/1998		09/099027	
Werner 44-6	5/23/1997	5/30/2000	6069917	
Werner 50-10	6/24/1999			09/339793
Whalen 5	8/17/1998		09/135008	
Wheeler 1	7/27/1998		09/123380	
White 44	4/1/1999			09/283528
Wilcox 3	1/20/2000			09/487853
Williams 2	9/8/1997		08/925341	
Wilson 10	10/26/1999			09/427312
Wilson 8	9/29/2000		09/675434	
Wittensoldner 1	8/11/2000		09/636457	
Wittensoldner 1	12/14/1999			60/170553



**CERTIFICATE OF OWNERSHIP AND MERGER**

**OF**

**Agere Systems Guardian Corp.**  
**(a Delaware corporation)**

**INTO**

**Agere Systems Inc.**  
**(a Delaware corporation)**

**UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), **DOES HEREBY CERTIFY:**

**FIRST:** The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

**SECOND:** On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

**RESOLVED** that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

**THIRD:** That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

**AGERE SYSTEMS INC.**

By

*Paul Bento*

Paul Bento, Vice President

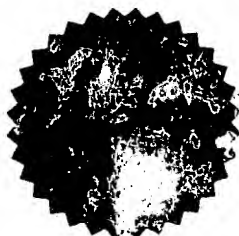
## *The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION, WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 1959517

DATE: 08-29-02